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13 Trustee for the Certificate Holders of the CWALT,  
14 Inc., Alternative Loan Trust, 2006-40T1*

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 ARTHUR GREGORY LUNDEEN IV and  
18 AUDRA MARIE LUNDEEN,

19 Case No.: 2:17-cv-01981-JAD-CWH

20 Plaintiffs,  
21 v.

22 **STIPULATION AND ORDER TO  
23 DISMISS WITH PREJUDICE**

24 ECF No. 29

25 THE BANK OF NEW YORK MELLON  
26 CORPORATION AKA THE BANK OF NEW  
27 YORK MELLON, FKA THE BANK OF NEW  
28 YORK, AS TRUSTEE FOR THE  
CERTIFICATE HOLDERS OF THE CWALT,  
INC., ALTERNATIVE LOAN TRUST 2006-  
40T1, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-40T1; DOES I-  
X; and ROES 1-10, inclusive,

29 Defendants.

30 PLEASE TAKE NOTE that Plaintiffs Arthur Gregory Lundeen IV and Audra Marie  
31 Lundeen (**Plaintiffs**) and Defendant The Bank of New York Mellon, as Trustee for the Certificate  
32 Holders of the CWALT, Inc., Alternative Loan Trust, 2006-40T1 (**BoNYM**), by and through their  
33 respective counsel of record, hereby stipulate and agree to dismiss this action with prejudice  
34 pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

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Each party to bear its own costs and fees.

DATED this 26th day of September, 2018.

AKERMAN LLP

/s/ Jamie K Combs  
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Audra Marie Lundeen*

Order

Based on the parties' stipulation [ECF No. 29] and good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice, each side to bear its own fees and costs. The Clerk of Court is directed to CLOSE THIS CASE.

U.S. District Judge Jennifer A. Dorsey  
Dated: October 23, 2018